

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,) 4:05CR3118-1
)
 Plaintiff,)) **MEMORANDUM**
 vs.)) **AND ORDER**
)
 MICHAEL J. KLUVER,))
)
 Defendant.))

The court was informed today that co-defendant Rodney Herold has decided to plead guilty. The court is further informed that Mr. Herold's guilty plea may impact the trial of Mr. Kluver. Therefore, on the court's own motion, and after telephonic consultation with counsel,

IT IS ORDERED that:

(1) Trial of this case as to Defendant Kluver is continued to 9:00 a.m., Monday, January 23, 2006, before the undersigned United States district judge, as the number four criminal case, in Lincoln, Nebraska. Since this is a criminal case, the defendant shall be present unless excused by the court.

(2) The time between today's date and the new trial date is excluded under the Speedy Trial Act and in the interest of justice. See 18 U.S.C. § 3161(h)(1)(I)& (h)(8)(A)(B).

December 20, 2005.

BY THE COURT:

s/ *Richard G. Kopf*
United States District Judge